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Attorneys for Respondent

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

JUAN JOSE MORALES CHAVEZ,

Petitioner,

v.

U.S. DEPARTMENT OF HOMELAND
 SECURITY, CITIZENSHIP AND
 IMMIGRATION SERVICES,

Respondent.

No. C 06-4928-MMC

STIPULATION TO DISMISS; AND ORDER

The petitioner, by and through his attorney of record, and respondent, by and through its attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice to filing a new petition should that become necessary, in light of the fact that the United States Citizenship and Immigration Services has agreed to re-open the petitioner's naturalization case and re-adjudicate the petitioner's naturalization application within 30 days of the dismissal of this action.

Each of the parties shall bear their own costs and fees.

1 Date: October 11, 2006

Respectfully submitted,

2 KEVIN V. RYAN
3 United States Attorney

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5 /s/
6 EDWARD A. OLSEN¹
7 Assistant United States Attorney
8 Attorneys for Respondent

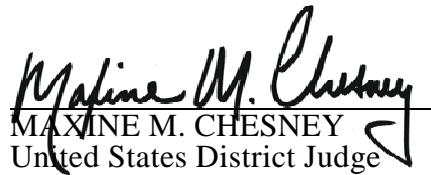
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10 Date: October 11, 2006

11 /s/
12 J. HERNANDO PRADO
13 Law Offices of J. Hernando Prado
14 Attorney for Petitioner

15 **ORDER**

16 Pursuant to stipulation, IT IS SO ORDERED.

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18 Date: October 16, 2006

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MAXINE M. CHESNEY
United States District Judge

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¹I, Edward A. Olsen, attest that J. Hernando Prado and I have signed this stipulation to dismiss.